

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA	)	
	)	
	)	
v.	)	CRIMINAL NO. 05-30057-MAP
	)	
DARRYL BURNS, and	)	
NAOMI WATFORD	)	
	)	
Defendants.	)	

THE PARTIES' JOINT STATUS  
REPORT PURSUANT TO LOCAL RULE 116.5(A)

The United States of America, by Michael J. Sullivan, United States Attorney for the District of Massachusetts, and Edward B. Fogarty, attorney for Darryl Burns, and Myles Jacobson, attorney for Naomi Watford, hereby submit the following status report pursuant to Local Rule 116.5(A) and Magistrate Judge Neiman's written order.

1. The government states that this is not a complex case and therefore the timing requirements imposed by Local Rule 116.3 should be followed. Counsel for Naomi Watford states that the defendant is in no position to know whether this case is a complex case.

2. The government anticipates that the defendants will request discovery concerning expert witnesses under Fed.R.Crim.P. 16(a)(1)(E). The government requests reciprocal discovery pursuant to Fed.R.Crim.P. 16(B)(1)(C). Accordingly, it is appropriate for the Court to establish dates for response by the

parties.

3. The government believes that there will be additional discovery to be provided by the government and the defendants as a result of the future receipt of information, documents, or reports of examinations or tests.

4. The government states that a motion date should be established under Fed.R.Crim.P. 12(c). Counsel for Ms. Watford states that the defendant is in no position to know if it is appropriate to set a motion date and notes that on September 28<sup>th</sup>, the Court scheduled a further interim status conference for November 8, at 12:30 p.m., and he respectfully requests that the Court wait until that conference before scheduling further routine orders in this case.

5. The government states that the time from arraignment, through the present is excludable from the Speedy Trial Act pursuant to 18 U.S.C. Section 3161(h)(8)(A) and Local Rule 112.2(A)(1), (2), and (3). Accordingly, the government requests that the Court issue an order indicating that the time from arraignment to the present is excludable pursuant to Local Rule 112.2(B). Counsel for Ms. Watford agrees.

6. The government anticipates a trial in this case which will require approximately two weeks consisting of four hour trial days.

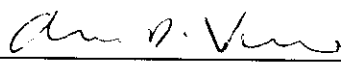
7. The government states that it is premature to establish a final status conference at this time.


8. Counsel for Ms. Watford further states that the automatic discovery order has not been fully complied with, but the attorneys for the government and the defendant have agreed to meet next week and hope to resolve discovery issues.

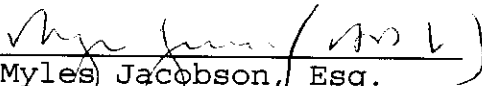
Respectfully submitted,

MICHAEL J. SULLIVAN  
United States Attorney

By:

  
Ariane D. Vuono  
Assistant U.S. Attorney

  
Edward B. Fogarty, Esq.  
Attorney for Darryl Burns

  
Myles Jacobson, Esq.  
Attorney for Naomi Watford

Dated: September 29, 2005